

## **Congestion Management Plan 2023-2026 - Fall Update**

**Date:** September 16, 2024  
**To:** Infrastructure and Environment Committee  
**From:** General Manager, Transportation Services  
**Wards:** All

### **SUMMARY**

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The Congestion Management Plan (CMP) 2023-2026 was presented at the October 2023 Infrastructure and Environment Committee and then subsequently to Council in November 2023. This report addresses a number of additional items that City Council has requested Transportation Services report back on since the adoption of the original report.

Toronto continues to be the busiest city in all North America in terms of construction due to increased private development activity, major infrastructure renewal and the implementation of higher order transit. While the economic benefits of growth will deliver long term value to the residents and businesses in the city, the impacts of construction are having a direct impact on network capacity and neighborhood mobility. Since the end of the pandemic, construction activity has been exacerbated by changes in travel patterns due to hybrid work and a resurgence of people attending events on the weekends. In short, construction has increased, travel patterns and habits have changed, the city population continues to grow and, as a result, overall congestion is having a significant impact on people's daily lives and travel.

Managing congestion in a city the size and scale of Toronto requires comprehensive and nimble approaches to planning and coordination, including bringing data and analytics to articulate the causes of congestion and implement strategic approaches- both tested and innovative-to manage impacted areas. This report identifies additional strategic measures and coordinating efforts to effectively address traffic flow, streamline construction activities and accommodate the demands of a growing urban population.

There are several systemic changes being introduced at the September 27 Infrastructure & Environment Committee meeting to help manage citywide congestion and construction coordination, including this report as well as the Enhancing Capital Infrastructure Program Coordination report. These two reports are further supported by actions that Engineering and Construction Services (ECS) is taking to enhance capital delivery and contract management for large municipal infrastructure projects. A report on these initiatives will be advanced in Q1 2025.

As part of this shared and collaborative effort, this report provides updates on five key impactful actions being led by Transportation Services that will more effectively manage congestion in the near term and set a strong foundation for the future:

- Plans for better coordination and control over construction activities on the right-of-way and strategy for cost-recovery of traffic congestion mitigation efforts
- Upcoming measures for automated enforcement to mitigate bylaw infractions, such as the blockage of signalized intersections and illegal blockage of bike lanes and illegal use of dedicated transit lanes.
- Next steps for the Traffic Agent Program and Continued support from the Toronto Police Traffic Direction Pilot
- New evaluation framework and methodology for reviewing and approving permits for Special Events
- Increasing fines in support of congestion and safety

Attachment 4 outlines the timelines and expected outcomes of each action towards better managing congestion.

In addition to the key measures listed above, this report also proposes a plan for a new AI-based traffic simulation modelling strategy that will assist in assessing the impacts of proposed construction or special event related road closures, recommend traffic mitigation plans and provide the ability to measure the impacts of the road closures. It is anticipated that the predicted impacts could be used in the future to better inform charges for road occupation in the new cost-recovery framework.

While the recommendations in this report will not eliminate congestion, they provide a more robust toolkit of coordination practices, technology enhancements and "boots on the ground" solutions to actively manage the ongoing pressures of growth and development that continues to shape our city.

## **RECOMMENDATIONS**

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The General Manager, Transportation Services recommends that:

1. City Council request the General Manager, Transportation Services, to work with the Chief Planner and Executive Director, City Planning and the Executive Director, Development Review, to review and assess opportunities in the development review process to encourage development proposals to include adequate setbacks or other design elements to minimize the need for lane occupation during building construction to the greatest extent possible, and to report back to City Council on an assessment of any potential actions to implement this.

2. City Council request the General Manager, Transportation Services, in collaboration with the Director, Strategic Capital Coordination Office, to engage and work with the Toronto Public Utilities Coordinating Committee to:

- encourage their members to review and assess construction methods that minimize road occupation on the right-of-way without negatively impacting pavement quality; and
- clarify the definition and notification requirements for projects deemed 'Emergency Utility Work' taking into consideration cost recovery for associated traffic management costs that support these emergency closures.

3. City Council amend City of Toronto Municipal Code Chapter 441, Fees and Changes , Appendix C - Schedule 2 (Transportation Services) to establish a new Road Disruption Activity Reporting System (RoDARS) fee for temporary street occupation permit applicants as set out in Attachment 1, and request the City Solicitor to submit the bill to amend Chapter 441 as soon as possible after the General Manager, Transportation Services has confirmed that implementation of the new RoDARS system has been completed and that all other necessary steps associated with creating and adding a new RoDARS fee have been completed.

4. City Council request the General Manager, Transportation Services, to complete the financial assessment for the congestion management levy, including the appropriate amount(s), and report back on the implementation details as part of the 2025 budget process.

5. City Council direct the City Solicitor to review the Highway Traffic Act, including Section 145 (1), and any other relevant legislation to determine what amendments would be required to be made by the Province and/or other relevant bodies to permit the "don't block the box" offence to be made an offence which may be enforced through an automated camera system and/or an Administrative Penalty System and, upon the City Solicitor providing the results of their review to the City Manager, the City Manager, in consultation with the appropriate staff, send a letter to the Province and/or relevant bodies requesting the necessary legislative amendments.

6. City Council direct the City Manager to send a letter to the Ministry of the Attorney General requesting an exemption for the City until April 1, 2025 from all new statutory and administrative requirements under the new Community Safety and Policing Act, 2019 that relate to special constable employer status and training requirements for special constables, specifically requesting that (i) the City be permitted to maintain or be granted special constable employer status to appoint special constables until the City enters into a new Memorandum of Understanding for City Traffic Agent Special Constables with the Toronto Police Service Board; and (ii) the new training requirements for special constables be deferred until April 1, 2025.

7. City Council authorize the General Manager, Transportation Services, to negotiate, enter into and execute any new or amended agreements required to extend the Traffic Agents / special constable program, with terms and conditions satisfactory to the General Manager, Transportation Services, and in a form satisfactory to the City Solicitor, including any new or amended agreement(s) with the Toronto Police Service Board for the appointment, training, and management of City Traffic Agents appointed as special constables by the Toronto Police Service Board.

8. City Council request the Toronto Police Service Board continue the Traffic Direction program providing Toronto Police and Special Constables traffic management support for the Traffic Agent program.

9. City Council authorize the General Manager, Transportation Services to enter into agreements with third party entities to participate in Transportation Innovation Challenges, including the Transportation Innovation Challenge described in recommendation 10, upon terms and conditions satisfactory to the General Manager, Transportation Services and City Solicitor, including terms addressing concerns around privacy, cybersecurity, information management and other operational considerations.

10. City Council authorize the General Manager, Transportation Services to deploy camera devices on a temporary basis for the purpose of automated capturing of images of traffic violations, including personal information, for which cameras would be deployed at fixed locations within the City right-of-way and / or on TTC buses for the purposes of completing a Transportation Innovation Challenge exploring the potential for new automated enforcement technologies to improve road safety, transit prioritization and congestion across the City, the collection of personal information will be subject to the Municipal Freedom of Information and Protection of Privacy Act, the completion of a Privacy Impact Assessment, and the information management principles outlined in Attachment 2.

11. City Council increase the penalty amount for the "Stop – Signed Highway – During Rush Hour Period" offence for Section 950-405 D.1 of the City of Toronto Municipal Code Chapter 950, Traffic and Parking from \$190, which was approved by City Council at its meeting of April 17, 2024, to \$300 and that City of Toronto Municipal Code Chapter 610, Penalties, Administration of, be amended accordingly.

12. City Council authorize the City Solicitor to introduce the necessary bills to give effect to City Council's decision and City Council authorize the City Solicitor to make any necessary clarifications, refinements, modifications, technical amendments, or by-law amendments as may be identified by the City Solicitor, in consultation with the General Manager, Transportation Services.

13. Infrastructure and Environment Committee direct the General Manager, Transportation Services, to report directly to the October 9 and 10 Council meeting with a report confirming that if the requisite community consultation on the RoDARS fee, as noted in recommendation 3, has been completed.

## **FINANCIAL IMPACT**

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The financial impact of approving the proposed increase in the penalty amount from \$190 to \$300 for the offence "Stop – Signed Highway – During Rush Hour Period " (950-405D.1) cannot be precisely determined due to the inherent unpredictability of driver behaviour. The higher penalty is meant to promote compliance with the traffic regulation, which is anticipated to reduce the number of illegal stopping instances during

rush hour, which would lead to a reduction in the issuance of parking tickets for this specific offence.

The financial implications of continuing the Traffic Direction program and implementing the congestion management levy will be considered by the relevant divisions and agencies as part of the 2025 Operating Budget submission.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as contained in the Financial Impact Section.

## **DECISION HISTORY**

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City Council at its meeting of July 3, 2024, adopted, 'Five Impactful Actions to Improve Congestion' which requested Transportation Services to report back to the Infrastructure and Environment Committee at its meeting on September 27.

[Agenda Item History - 2024.IE15.12 \(toronto.ca\)](#)

The General Government Committee, at its meeting on May 30, 2024, authorized the award of Doc4430179988 to Soncin Construction for Rehabilitation of Eastern / Adelaide Bridges (ID264, ID263, ID246, and ID266) for Engineering and Construction Services (Ward 13, 14)

<https://secure.toronto.ca/council/agenda-item.do?item=2024.GG13.5>

City Council at its meeting of April 17, 2024, adopted, as amended, 'Increase in Penalty Amounts for Parking Offences and Establishment of New Electric Vehicle Parking Offences of Off-Streets Parking Facilities' and also requested that, "...the General Manager, Transportation Services, to report to the Infrastructure and Environment Committee by the third quarter of 2024, with a plan to increase fines for the "Stop – Signed Highway – During Rush Hour Period " offence in Section 950-405 D.1 of the City of Toronto Municipal Code Chapter 950, Traffic and Parking, with the intention of increasing compliance and improving traffic and congestion during rush hour."

<https://secure.toronto.ca/council/agenda-item.do?item=2024.IE11.2>

City Council, at its meeting on March 20, 2024, adopted the Congestion Management Plan (2023-2026) Update with amendments and authorized the implementation of Transportation Innovation Challenges (TICs) outside of Exhibition Place when warranted.

<https://www.toronto.ca/legdocs/mmis/2024/ie/bgrd/backgroundfile-243081.pdf>

City Council, at its meeting on November 8, 2023, adopted the Congestion Management Plan 2023-2026 with amendments.

<https://www.toronto.ca/legdocs/mmis/2023/cc/bgrd/backgroundfile-240533.pdf>

City Council, at its meeting on May 5, 2021, authorized the implementation of the Transportation Innovation Challenge program to explore new and emerging transportation technologies at the Transportation Innovation Zone at Exhibition Place.

<https://www.toronto.ca/legdocs/mmis/2021/ie/bgrd/backgroundfile-165845.pdf>

## COMMENTS

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At the September 27 Infrastructure and Environment Committee meeting, several systemic changes will be proposed to better manage citywide congestion and construction coordination. Each group involved in this work has a critical role to play in making long-term strategic decisions and short-term tactical actions to mitigate the traffic congestion impacts of inevitable growth of our mega-city. Together, all of these initiatives and recommendations will support better congestion management.

Attachment 4 provides a table that highlights the key initiatives being led by various groups and their associated timelines for completion.

The remainder of this report focuses on the efforts being initiated and/or led by Transportation Services.

### **Plans for Better Coordination and Control over Construction Activities on the Right-of-Way and Strategy for Cost-Recovery of Traffic Congestion Mitigation Efforts**

The City of Toronto continues to be the busiest city in all North America in terms of construction. The reduced network capacity due to construction related road closures is a primary factor contributing to congestion across the City. A consultant was retained to review lane occupation fees charged by various jurisdictions and propose measures to address the problem, including the idea of a 'congestion management fee' for lane occupation that could help motivate constructors to reduce their time spent in the right-of-way.

To better understand the current impact of constructors on the right-of-way and how their activities affect all modes of traffic, data was analyzed from the City's Road Disruption Advisory Reporting System (RODARS) for 2023. This system is used to track road closures and is used to populate the City's Road restrictions and Closures website (<https://www.toronto.ca/services-payments/streets-parking-transportation/road-restrictions-closures/>). Data from 2024 was not considered in this analysis due to the ongoing transition from the old system to the new online booking system, referred to as RODARS Central.

The following describes the categories of road occupation considered in the analysis:

**City Led Construction** refers to all the major capital construction work delivered by ECS, Toronto Water, and TTC track work being delivered by ECS.

**Utility Work** refers to activities carried out by utility companies, such as Enbridge, Rogers, Bell, Toronto Hydro, Telus.

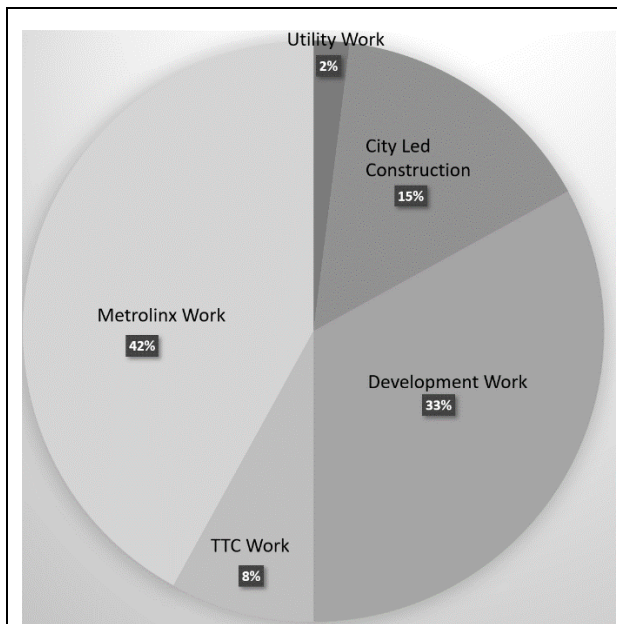
**'Non-Utility'** encompasses construction activities similar in impact to utility work but performed by non-utility entities. This category includes, daylighting, boreholes, test pits,

traffic signal installations/removals, waterproofing and installing/decommissioning monitoring wells.

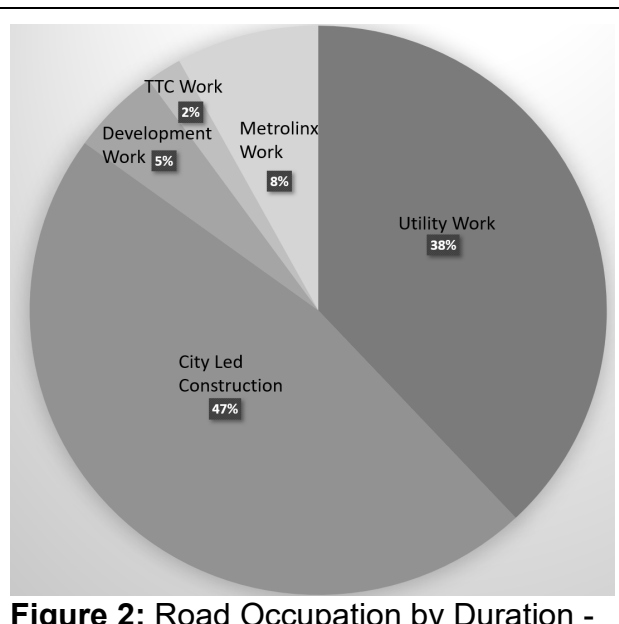
**TTC Work** refers to standalone TTC projects such as bus stop improvements, vent shaft rehabilitation work and, easier access projects (i.e. elevators).

**Development Work** refers to any road closures typically associated with the construction of residential developments such as walk-through/staging scaffold, plywood hoarding or covered-walkway, crane hoists, concrete pumping, dewatering exercises, swing stage operations and roof hoists.

**Metrolinx Work** refers to any of the major capital transit infrastructure related construction work including on the Eglinton Crosstown, Finch West LRTs, the GO Expansion Program and the Subway Program (i.e. Ontario Line, Scarborough Subway Extension, Yonge North Subway Extension, and Eglinton Crosstown West Extension).



**Figure 1:** Road Occupation by Type - Who is on the Right-of-Way over the course of a year (RODARS 2023 Data)



**Figure 2:** Road Occupation by Duration - Proportionately who is occupying the Right-of-Way annually in terms of time (RODARS 2023 Data)

Figure 1 above shows Transportation Services staff findings based on road closure data. Figure 2 above illustrates the percentage breakdown by road occupation types, showing the proportion of time each type spends occupying the right-of-way relative to the total amount of hours of construction road occupation experienced by the City.

*Metrolinx Construction*

Given the scale and complexity of Metrolinx projects noted above, it is to be expected that their works will have longer duration impacts on the right-of-way. In order to minimise road occupation periods, City staff work closely with Metrolinx and their consultants and constructors through the permitting process and then during

construction to minimise lane closure periods and impacts on surrounding neighborhoods. As part of the of the permitting process, City staff are guided by existing agreements between the City and Metrolinx, as well as various Council directions, including direction under EX15.2-Priorities in Transit Expansion and Transit-Oriented Communities Projects.

### *City-Led Construction*

The classification of City-led construction includes all construction projects being delivered by ECS, Toronto Water, TTC track work and road operations and traffic signals construction and maintenance work. While City-led construction accounts for a significant proportion of current road occupations, only a small percentage of these projects extend beyond one year in duration. As a result, this classification falls behind both Metrolinx and developer projects, which often last multiple years.

There are a number of measures being employed to better manage and coordinate city-led projects as outlined below:

- A Strategic Capital Coordination Office (SCCO) has been created to focus on coordinating (sequencing) planned city capital projects with other major capital projects led by the province, utilities and private development, along with major special events and maintenance activities, with a view to minimizing conflicts. The SCCO works with other city divisions and agencies to establish operational constraints and traffic congestion mitigation plans. The City's decision-making and operational approach is informed through its liaison with operational partners such as Transit Expansion Division, TTC, TPUCC, the Province, Toronto Parking Authority (amongst others).
- ECS is reviewing project management, contract management and capital delivery models including design, tendering and contract management of large/complex municipal infrastructure projects with a goal of increasing effectiveness and efficiency of program delivery, growing industry participation and accountability, and maintaining a high degree of expertise in the City. The review is scheduled to be completed in Q4 2024, with a report back in Q1 2025.
- In parallel, ECS is proactively looking to accelerate existing contracts where feasible.

Of the measures listed above, ECS has already commenced the review of current and ongoing construction projects on the right-of-way to see what opportunities, if any, exist to help the projects reach completion faster. Examples of measures being taken include allowing the contractor to work longer hours and having the contractor bring in additional crews to complete the work faster.

Among recent successes is the work on King Street which involved both TTC track and watermain replacement efforts that was completed 10 weeks ahead of schedule. This has indirectly had a positive impact on easing congestion in Liberty Village as motorists now have that road capacity returned and available on the road network for use.



While efforts are ongoing to identify opportunities, three other projects have been modified for accelerated work conditions with either extended or 24-hour work allowances listed below:

- University Avenue (east side construction)
- Queen's Park Crescent
- Harbour Street

*Working with the Development and Utility Work Industry Partners to Promote Construction Methodologies that Minimize the Need to Occupy the Right-of-Way*

While developers are on the right-of-way for longer periods of time, the length of their closures are usually relatively shorter-between 40-50 m in length. Given the shorter lengths and minimal modifications needed for closure configurations over the course of their work, it is often easier to arrange and install protections for pedestrian and cyclist infrastructure. This approach typically has less impact on traffic due to the reduced area of disruption and the straightforward nature of the required closure adjustments.

In contrast, utility work, conducted by Hydro, Gas, Rogers, Bell, Telus and involving activities such as daylighting, boreholes, test pits and traffic signal work, typically occupies the right-of-way for shorter durations. However, these activities often involve road closures that can range from 50 m-200 m or more and may also require unique closure configurations at different stages of their work. As a result, utility work can lead to more significant impacts on all road users. To manage the right-of-way effectively, it's essential to consider the diverse impacts and complexities associated with different types of work on the right-of-way.

Transportation Services staff regularly meet with major Toronto builder associations such as BILD, RESCON and Concrete Ontario to discuss issues surrounding construction in Toronto. These discussions are productive and have resulted in suggestions for project acceleration, tactics to reduce the time builders occupy the right-of-way, or reduce the volume of zero-lot-line development projects. Affecting these changes requires discussions to start very early in the permit application process so that developers have the necessary time to budget for the impacts well before construction begins and road occupancy needs are requested. Transportation Services will convene working sessions with City Planning, Development & Growth, and Toronto Building as well as the major Toronto building associations to review the feasibility of the ideas about project acceleration discussed and report back to Council in Q2 2025 on findings and next steps. In addition, the plan entails that Transportation Services will consult with universities with expertise in this area, to investigate and provide recommendations on building methodologies for urbanized areas that minimize the need for construction related road occupations.

In parallel, Transportation Services will leverage the engagements already underway with the Toronto Public Utility Coordinating Committee (TPUCC) to identify and formalize use of other right-of-way construction methods that can minimize the amount of occupation time needed while safely completing the necessary work.

## *Strategy for Construction Related Congestion Management Recovery Fees*

In addition to these efforts, Transportation Services is proposing changes to Road Occupation fees and introducing a congestion levy through the 2025 budget process. These measures aim to ensure cost recovery to support congestion management and also to incentivize constructors to minimize their time on the right-of-way.

### **Road Occupation Request Administration Fee (i.e. RODARS Admin Fee) -**

Transportation Services is recommending an administration fee related to the new online booking system for approving right-of-way occupations. This system is currently being piloted and is expected to become permanent later this year. This fee will recover staff time spent reviewing applications, checking for potential conflicts and developing traffic/transit mitigation plans where applicable. It will also help prevent applicants from overbooking the system (i.e. booking road occupation placeholders that may not be used). Transportation Services has assessed these costs and recommends a fee of \$76.51, which will be implemented after the new system completes the pilot phase, privacy impact assessment, Accessibility for Ontarians with Disabilities Act (AODA) compliance and other necessary audits.

### **Changes to the Street Occupation Permit and/or Utility and Non-Utility Cut Fees -**

Changes to fees can only be adjusted to recover costs actually incurred. Developers have already been subject to a 25% increase to street occupation fees that were imposed on any work ongoing in Construction Hub areas within the City. This increase in fees had not previously been applied to utility and non-utility cut permits which are subject to a completely different fee structure that does not take into consideration the costs to manage traffic (e.g. traffic agents, signal timing adjustments). Transportation Services is in the process of analyzing the data with respect to permits and will be making a recommendation through the 2025 budget process to amend the fees with the objective of recovering all costs incurred.

**Construction Congestion Management Levy** - The fees currently under review as described previously focus on cost recovery associated with the specific permit requests. However, there are several other costs, including traffic management measures that mitigate the traffic and transit impacts across multiple construction closures, that are harder to associate with any one specific project. These costs include those associated with traffic agent support, traffic signal engineers for retiming traffic signals, bylaw enforcement support to ensure compliance with the permits and, 24/7 staff monitoring in the RESCU traffic operations centre to provide real-time traffic management support.

Transportation Services is proposing to introduce a new construction congestion management levy for anyone occupying either the road, sidewalk or boulevard for the purposes of construction. The levy amount will depend on several factors, including:

- Location within the City - Area 1 (downtown core) versus Area 2 (everywhere else)
- Area in square meters of a right of way closure - in consideration of the number of lanes closed and the physical length of the closure.

- Time of day - increased cost for peak hour closures versus lesser costs for off-peak construction
- Duration of Closure - the charges would be applied daily, with the possibility of an escalation factor for longer duration closures.

Additional analysis is still required to properly estimate the appropriate amount to be charged, clear the justification for the levy parameters and related charges, and the administration process required to implement the levy. Transportation Services is proposing to introduce this new levy in Q1 2025 through the City budget process, in advance of the 2025 construction season.

### **Next Steps to Mitigate Bylaw Infractions such as Blockage of Signalized Intersections and Illegal Blockage of Bike Lanes and Illegal Use of Dedicated Transit Lanes**

Transportation Services is working in partnership with Toronto Police Service and TTC to jointly investigate automated enforcement technologies for dashcam operations as well as fixed camera operations. The following summarizes next steps in terms of technology investigations and changes required to the legal framework to facilitate automated enforcement.

#### *Automated Enforcement for Leveraging Dash Cameras and/or Specialized Cell Phones*

Transportation Services staff have investigated and found that several U.S. jurisdictions, including New York, Washington, DC, and Los Angeles, are not only using dash camera technology for police parking enforcement, but also on city buses for compliance over dedicated bus lanes. For example, New York City installed bus dash cameras on nine routes with 300 buses equipped and resulted in a 5% improvement on transit travel times and found that 80% of drivers who committed violations did not commit a second offence after receiving a warning or ticket.

Toronto Police Services Parking Enforcement team is leading this initiative in partnership with Transportation Services, Toronto Parking Authority and other implementing city divisions and in the process of gathering the necessary requirements for the "Traffic Services and Parking Enforcement Solution" RFP. This RFP will cover the Electronic Parking System (EPS) lifecycle replacement project, the Vehicle Impound System (VIP), and an Automatic License Plate Reader dashcam system that would allow Parking Enforcement Officers to gather evidence for potential violations, while driving along City streets. This application could extend to not only parking violations, but also illegal occupation of dedicated bike lanes, bus lanes and potentially prohibited vehicle movements (e.g. King Street - cars illegally driving through intersections). Toronto Police Parking Enforcement will be including the option in the RFP for the dashcam automated enforcement to be added to TTC streetcars, buses, City garbage trucks and traffic agent fleet cars.

#### *Automated Enforcement Leveraging Fixed Camera Systems*

Transportation Services has extensive experience using fixed camera licence plate reader technology with respect to red light cameras and automated speed enforcement cameras. However, the block-the-box and other bylaw infractions require a completely different set of operations and functional parameters to gather evidence. An assessment of different technologies is also required to confirm whether the evidence gathered by these systems meets the HTA and/or municipal bylaw requirements to effectively lay a charge.

Transportation Services has completed three previous Transportation Innovation Challenges (TICs) and is in the process of launching a fourth TIC which will be on the topic of Automated Enforcement. The purpose of this TIC is to explore the potential for new and emerging technologies to automate the collection of images related to offences such as illegal travel in priority bus lanes, illegal blocking the box and illegal turn and through movements at intersections. By trialing leading-edge technology on Toronto streets, this TIC will provide insight into the feasibility, benefits and, limitations of applying automated enforcement to these specific violations. This will enable informed decision-making around any future automated enforcement programs.

The expected outcomes from the TIC include a comprehensive understanding of the state of technology, the contextual factors that impact its effectiveness and the capability of producing evidence sufficient for successful prosecution. These insights will inform next steps for Transportation Services as well as potential requests to the Province for legislative and/or regulatory changes to enable additional automated enforcement applications. Key findings from the TIC will be documented in a public report after the TIC is completed.

To achieve the goals of this TIC, cameras will need to be deployed on City streets and / or TTC buses and will need to operate in a manner that is consistent with how they would operate in an actual deployment. As a result, photographic and video evidence of traffic violations will be collected, which is expected to include personal information as defined by the Municipal Freedom of Information and Protection of Privacy Act. The personal information that is expected to be captured includes licence plate information, which is necessary to validate the performance of the deployed technologies. It is also foreseeable that the cameras will capture images or video segments of pedestrians or other individuals in the public realm, including pedestrians' faces. Recommendation #11 presents Transportation Services' request for Council authority to collect personal information in conducting the TIC. Participants in the TIC will not be permitted to deploy devices that include microphones and will be encouraged to mitigate the collection of personal information through techniques such as automatic facial blurring and edge computing.

A core function of this TIC will be to develop recommendations for any future automated enforcement programs on how to mitigate the collection of personal information. The licence plate data that is collected will not be submitted to the Ministry of Transportation licence plate database to connect license plates with the names of vehicle owners and no warning letters or fines will be issued at any point in the TIC. The information that is gathered through the TIC will only be used for calibrating and assessing the capability of

the automated enforcement systems and to identify the frequency of violations in various locations.

Staff in Transportation Services are engaged with staff in Legal Services, Corporate Information Management Services (City Clerk's Office) and the Office of the Chief Information Security Officer to complete a Privacy Impact Assessment, Information Management Assessment, relevant cybersecurity assessments and ensure compliance with MFIPPA. Access to and use of the data by TIC participants (third parties) will be governed by a negotiated legal agreement with each TIC participant that will be based substantially on corporate terms and conditions for cloud-based services and modified to suit the specifics of this TIC. Access to and use of the data by City staff will be governed by the Privacy Impact Assessment, MFIPPA, and the information management principles outlined in Attachment 2.

### *Establishing the Legal Framework*

Transportation Services is recommending that City Council direct the City Solicitor to review the Highway Traffic Act, including Section 145(1), and any other relevant legislation to determine what amendments would be required to be made by the Province and/or other relevant bodies to permit the "don't block the box" offence to be made an offence which may be enforced through an automated camera system and/or an Administrative Penalty System.

Transportation Services is further recommending that upon the City Solicitor providing the results of their review to the City Manager, City Council direct that the City Manager, in consultation with the appropriate staff to send a letter to the Province and/or relevant bodies requesting the necessary legislative amendments.

Transportation Services will provide an update on the various stages noted above in the next congestion management plan update in Q2 2025.

### **Next Steps for the Traffic Agent Program and Continued Support from Toronto Police Traffic Direction Pilot**

The former Police Service Act was recently replaced by the province with the new Community Safety and Policing Act, 2019 which came into effect on April 1, 2024. This new legislation introduced by the province significantly affects both the administration of the current Traffic Agent program and the time needed to onboard new staff.

Based on the new legislative requirements, the City needs to be redesignated as a Special Constable Employer and through the application process, the province has requested that a new Memorandum of Understanding (MOU) be established between Toronto Police Services Board and the City. While development of the new MOU is well underway, Transportation Services requires authorization from City Council to negotiate and enter into the new MOU in order to continue with the program. The new MOU includes requirements for changes that will take time for city staff to implement.

Transportation Services is seeking to petition the Ministry of the Attorney General to extend the deadline for meeting the new legislation requirements to April 1, 2025.

In addition to this, the new legislative requirement entails the need for approximately three months of additional training for the special constable traffic agents. As a result, the current cohort of 50 new agents who were expected to be ready for deployment in February, 2025 will now not be available for field duty until May, 2025. Given the growing demands for Traffic Agents, Transportation Services is recommending that the City petition the Ministry of the Attorney General to exempt the need for the new CSPA training until April 1, 2025 for both the newly hired and current Traffic Agents in the program.

#### *The Continued Need for Toronto Police Service (TPS) Support to the Program*

In recent years, the Toronto Police Service has supported the program through a Traffic Direction Pilot by supplementing the City's traffic agents with 10-13 police officers and/or special constables on weekdays. Transportation Services recommends that the City Council formally ask the Chief of Police and the Toronto Police Services Board to continue this program. Transportation Services will budget in 2025 to ensure that there is continued funding for this support.

The Traffic Agent program has been prone in the past to significant staff turnover given the strenuous nature of the work and the fact that the experience gained by this work does create many other employment opportunities in law or bylaw enforcement for the staff. When Traffic Agents leave for other employment, it does take a considerable amount of time to recruit and onboard new staff leaving gaps in traffic management support.

The Traffic Direction Pilot has had a direct benefit to the public in terms of congestion management and improving the flow of traffic. A continuation of the police supported Traffic Direction program will help guarantee greater resiliency in the program in terms of staffing and secure greater ability to maintain the level of service and coverage of the program to meet the growing demands for Traffic Agents.

#### **New Evaluation Framework and Methodology for Reviewing and Approving Permits for Special Events**

In the post-pandemic era, the City of Toronto has experienced a resurgence of special events, especially during the summer months. With ongoing city-wide construction, managing traffic congestion around these events is crucial and there is a need for enhanced decision-making, coordination and support for traffic and congestion management. The need for the new decision-making framework for special event applications is largely driven by the city's current ability to support these events with existing resources, such as Police and Traffic Agents, with other concurrent projects/activities in the City. The City's resources are also strained during the summer months when the majority of events occur and especially when they occur back-to-back with no opportunity for breaks in between.

A new framework and policy are being developed for reviewing special event applications with consideration of the following elements and engagement with the special event sector.

- **Actual return on investment rather than just economic benefit to the City** when there are costs associated with providing City resources and they are not often fully recoverable. The new consideration will be on the City resources required to support the event weighed against the potential return. As there are limited metrics to assess the economic impact of street festivals at this time, a solution needs to be found in terms of ways to measure the impact and return on investment of events.
- **Impacts on Emergency Services and Police** particularly with respect to ensuring that they have clear unobstructed road access in and around the surrounding areas of the event to be able to meet their typical response times.
- **Impacts on Traffic to the Surrounding Neighbourhoods** looking at surrounding construction closures and seeing if there are opportunities for construction to be off the road during the events.
- **Transit availability during the special events** looking at TTC and Metrolinx GO planned service disruptions to see if either maintenance work can be deferred or if the applicant can reschedule their event to another date when transit options are fully available.
- **City resources needed to support the event as proposed in the traffic/security management plan versus actual resources available** with particular consideration to the date/time coordination between major events and other works requiring City resources and to minimize instances where major events are back-to-back straining resource availability.
- **Ensuring that traffic management plans consider threat/risk mitigation strategies** to ensure that all attendees to the events can expect a safe environment and that the city is prepared to respond in the event of an incident.
- **Ensuring that the applicant is actively promoting attendees to access to their event via carpooling, transit or promoting biking and walking for local attendees** to offset the pressures of additional traffic on the road network.

The points outlined above have always been given consideration however, the City is moving towards a policy framework whereby these factors will be considered across all applications and with greater rigour to better coordinate road usage for special events and construction and TTC service disruptions to reduce conflicts and mitigate traffic congestion. Once completed, the new framework will be included for information in the next congestion management plan update in Q2 2025.

*New Coordination Team to Preside Over Special Event Coordination*

City staff recently created the Special Event Advisory Team (SEAT), led by Economic Development and Culture. SEAT is comprised of the City Divisions, agencies and corporations (DAC) that support special events, including Transportation Services, Toronto Police Services, Toronto Emergency Management, Toronto Paramedics, TTC and Toronto Fire Services. One of the functions of SEAT is to enhance interdivisional and interagency coordination for planning and execution of special events in the city.

The SEAT team will support the development of the new policy framework for reviewing Special Event Applications by providing a forum to review and improve the coordination efforts. Further, SEAT will serve as a forum to keep DACs accountable to ensure a thorough, timely and impartial coordination of activities. Should SEAT not be able to resolve a conflict, the issue will be raised to the Executive Steering Committee on Special Events for guidance and direction.

#### *New Traffic Event Management Planning Unit*

Transportation Services has also established a Traffic Event Management Planning (TEMP) unit to focus on developing comprehensive traffic management strategies for special events. These strategies aim to mitigate congestion and ensure safe and efficient transportation for people to and from events.

### **Increase Fines in Support of Congestion and Safety**

#### *Increased fines for 'Don't Block the Box' Offences*

In August 2024, the Regional Senior Justice approved the City's request to increase the fines for an improper stop in an intersection from \$90 to \$450, and \$120 to \$500 for an improper stop in an intersection in a community safety zone. As the changes have now come into effect, Transportation Services worked in collaboration with Toronto Police Services to develop an enforcement and educational awareness campaign to promote the changes. Static signs were installed in early September at locations where Traffic Agents work to remind drivers not to block the intersections and to inform them of the increased fines associated with this offence.

In parallel, plans are underway to work with Toronto Police at the local division level for an educational awareness campaign that will commence with warnings and subsequently be escalated to charging motorists at the new rate. The proposed efforts will be similar to the education and enforcement support provided to Traffic Agents on King Street which resulted in significant improvements in streetcar throughput and overall travel times.

#### *Increase in the Rush Hour Stopping Penalty Amount*

City Council at its meeting of April 17, 2024, approved an increase to 123 parking penalty offences that came into effect on August 1, 2024. City Council at the same meeting requested that the General Manager, Transportation Services do a further review of the parking offence "Stop – Signed Highway – During Rush Hour Period"



(950-405 D.1). This particular offence was approved, on April 17, 2024, to be increased from the penalty amount of \$150 to \$190.

The issue of vehicles stopping during rush hour periods (defined as the time periods of 6:00 a.m. to 10:00 a.m. and/or between 3:00 p.m. to 7:00 p.m.) has continued to be a growing concern. While the issue is not new, when coupled with increased traffic volumes and rush hour operational conditions that begin earlier in the morning and early evening hours, the traffic delays and increased traffic congestion created by these motorists is increasingly frustrating to commuters.

This issue is most prevalent in the central/downtown areas of the City. However, similar conditions occur along many arterial corridors across the City where there is a significant concentration of retail/commercial storefront businesses and where these businesses can not provide any off-street parking/loading areas for use by patrons and suppliers.

In the following table, the penalty violation notices (PVNs) issued between the years 2015 and 2023 for the rush hour offence is summarized and includes the number of vehicle tows for each corresponding year. Prior to 2015, the penalty amount for the rush hour stopping offence was \$60, and on average approximately 109,250 PVNs were being issued for this offence annually. When the rush hour penalty amount was increased to \$150 (2.5 times increase of the \$60 amount) the number of PVNs issued dropped by a dramatic 34%.

Year	PVNs Issued for Stopping on Signed Highway – During Rush Hour Period	Total Number of PVNs Issued for all Offence Types	Number of 'Rush Hour' Tows
2015	78,437	2,168,493	17,348
2016	74,267	2,254,761	17,913
2017	72,844	2,144,266	16,582
2018	67,702	2,044,288	14,648
2019	67,807	2,221,544	13,820
2020	19,546 *	1,404,734	3,560 *
2021	2,175 *	1,479,644	0 *
2022	40,850 *	1,821,338	5,703 *

Year	PVNs Issued for Stopping on Signed Highway – During Rush Hour Period	Total Number of PVNs Issued for all Offence Types	Number of 'Rush Hour' Tows
2023	74,635	2,256,425	12,947

\* Reduced enforcement during COVID

Toronto Police and Parking Enforcement officers have the authority, under the Highway Traffic Act, to ticket, tow and impound illegally parked vehicles obstructing rush hour routes. A towing fee is based upon the Gross Vehicle Weight of the vehicle towed, with a standard tow ranging from \$250 to \$325 (includes towing and 24-hour storage fees).

To achieve measurable and sustainable improvements in compliance with the current rush hour traffic regulation and a reduction in traffic congestion, Transportation Services is recommending that the penalty amount for the rush hour stopping offence be increased from \$190 to \$300. It is anticipated that this fine amount should enhance motorists' compliance with the rush hour regulation and result in a similar dramatic decrease in PVNs as was observed when the offence amount was last increased. Should Council approve the \$300 penalty amount for the "Stop – Signed Highway – During Rush Hour Period" offence 950-405 D.1, it is recommended that City Council also authorize the necessary amendment to City of Toronto Municipal Code Chapter 610, Penalties, Administration of.

### **Traffic Simulation Modelling Strategy Current and Proposed Future Plans**

Coordination and traffic congestion mitigation planning around construction sites and special events in Toronto is a complex task that requires a modern approach to assessing the impacts on congestion and developing traffic mitigation strategies. Historically, the City has relied on computer traffic simulation models as a primary tool for planning, decision-making and estimating the impacts of road closures. However, these models often demand extensive data collection and highly skilled staff to input and code the data, leading to limitations in coverage. Given the extensive work required to develop the 'base case scenarios', models were often limited to small areas, such as a few traffic signals in a corridor or within a small area of the City.

To enhance this process, City staff explored advanced solutions and reviewed practices used by other jurisdictions. The industry is increasingly adopting 'digital twin' traffic simulation models that use live traffic data and leverage deep learning artificial intelligence to more accurately predict outcomes. These new models require real-time traffic data to automatically generate dynamic and responsive simulations.

To implement a similar system for Toronto, the following steps are planned in 2025:

- Create a data feed containing construction closure information into the model (Q1 2025)
- Issue a Request for Proposals (RFP) to procure a systems integrator and software application license for the Digital Twin (Q2 2025)
- Increase the number of traffic sensors across the City to feed data into the model (Q3 2025)
- Train staff and modify the standard operating procedures (Q3 2025)

The new traffic model will allow staff to assess temporary road closures for special events and construction more accurately and promptly. This tool will significantly enhance the development and refinement of traffic congestion mitigation plans in ways that the existing process cannot support. Additionally, the new model can be applied in the future to support and justify congestion management levy charges.

Any budgetary or additional resource needed to fund this initiative will be included in the Transportation Services 2025 budget.

### **Congestion Management Dashboard**

Transportation Services is launching a new Congestion Management Dashboard that will be accessible on the City of Toronto's website. This dashboard will offer a range of statistics, including data on smart signals, transit signal priority signals, traffic agents and other infrastructure and measures supporting traffic management. It will also provide information on travel times and road occupations across the city.

For a preview, see Attachment 3, which includes a sample of the new web page.

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### **SIGNATURE**

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Transportation Services

## **ATTACHMENTS**

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Attachment 1: RODARS Administration Fee and Detailed Costing Breakdown

Attachment 2: Privacy and Data Principles for the Automated Enforcement  
Transportation Innovation Challenge (TIC)

Attachment 3: Congestion Management Dashboard Web Page Mock-Up

Attachment 4: Congestion Management Plan – Actionable Items